

Submitted Via Email to e-ORI@dol.gov

February 4, 2011

Office of Regulations and Interpretations
Employee Benefits Security Administration
Attn: Fiduciary Definition Hearing
Room N-5655
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Re: Written request to be heard at Fiduciary Definition Hearing

Dear Sir or Madam:

J.P. Morgan Retirement Plan Services LLC requests the opportunity to testify at the Department of Labor's (DOL) hearing to be held at the DOL on March 1, 2011. We have several concerns regarding the proposed rules published on October 22, 2010 and appreciate the opportunity to share our concerns with the DOL.

Our witness will be Karen Prange, Executive Director and Assistant General Counsel, J.P. Morgan Retirement Plan Services. Ms. Prange will address in her testimony:

1. The definition of fiduciary should include clear and objective standards, including a requirement that all advice be individualized to the needs of the recipient and subject to a mutual agreement between the provider and recipient.
2. The limitations to the definition of fiduciary relating to sales or marketing through a platform should be clarified and broadly interpreted to recognize the variety of services provided to plan sponsors in monitoring plan investments.
3. The definition of fiduciary advice should not encompass recommendations related to taking a plan distribution.
4. The DOL should consider re-proposing the proposed rule after considering the written comments and testimony at the public hearing.

J.P. Morgan Retirement Plan Services appreciates your consideration of our request to testify. Should you have any questions, please contact Robert Holcomb at 816-673-4480.